

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

Kolby Duckett, David Schilling, and David Holloway

Plaintiff

v.

Chief Brian Hickman, Ted Rogers, and the City of  
Collegedale, Tennessee

Defendant

Civil Action No. 1:19-cv-00295

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

Tri-Community Fire Department

Attention: Human Resources - 9769 Sanborn Drive, Ooltewah, Tennessee 37363

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: The entire personnel file for Brian Hickman from date of hire to present, including but not limited to any applications, reports, notes, recordings, interviews, write ups, statements, reviews, disciplinary letters, and any other items saved within Mr. Hickman's personnel file for the department.

Place: Davis & Hoss, P.C.  
850 Fort Wood Street  
Chattanooga, TN 37403

Date and Time:

07/23/2021 4:00 pm

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/23/2021

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Duckett, Schilling and Holloway, who issues or requests this subpoena, are:

JANIE PARKS VARNELL, Davis & Hoss, P.C. 850 Fort Wood Street, Chattanooga, TN 37403, Janie@davis-hoss.com

**Notice to the person who issues or requests this subpoena (423) 266-0605**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 1:19-cv-00295

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) Tri Community Fire Department  
on (date) 06/23/21.

☒ I served the subpoena by delivering a copy to the named person as follows: via certified  
return receipt to Registered Agent, Michael St. Charles,  
of Chamblis Palmer + Stophel on (date) 6/26/21; or  
(See Attached Signature Receipt)

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 06/30/21

Haley M. Kaye

Server's signature

Haley M. Kaye - Paralegal

Printed name and title

850 Fort Wood Street, Ch-H, TN 37403

Server's address

Additional information regarding attempted service, etc.:

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Tri-Coma Fire Department  
c/o Registered Agent  
Michael N. St. Charles  
605 Chestnut Street, Suite 1700  
Chattanooga, TN 37450*



9590 9402 6142 0209 6378 97

2. Article Number (Transfer from service label)

*7017 0190 0000 2994 3235*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*X [Signature]*

- ☐ Agent
- ☐ Addressee

B. Received by (Printed Name)

*JAMES MARTIN*

C. Date of Delivery

*6/26/21*

D. Is delivery address different from item 1?

- ☐ Yes
- ☐ No

If YES, enter delivery address below:

- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**USPS TRACKING#**



9590 9402 6142 0209 6378 97

**United States  
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

*Davis + Hess, P.C.  
850 Fort Wood Street  
Chattanooga, TN 37403*

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

